

JUL 19 2000

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
RALEIGH DIVISION

PEGGY B. DEANS, CLERK
U.S. BANKRUPTCY COURT
EASTERN DISTRICT OF N.C.

IN RE:)	
)	
INTERNATIONAL HERITAGE, INC.)	CASE NO. 98-02675-5-ATS
)	CHAPTER 7
INTERNATIONAL HERITAGE,)	CASE NO. 98-02674-5-ATS
INCORPORATED,)	CHAPTER 7
)	
Debtor.)	

PRIVILEGED DOCUMENT LIST

NOW COMES Claude Savage and shows unto the court the following:

1. On March 28, 2000, Holmes P. Harden, Trustee in Bankruptcy in this matter, moved the court for "approval of compromise and settlement" seeking an order of the court allowing the Trustee to waive the attorney-client and work-product privileges of the debtors herein.
2. On April 10, 2000, Claude Savage objected to that request asserting that among the documents of the debtors there appeared some covered by Savage's individual attorney-client privilege and protection of the attorney work-product doctrine of Savage's individual attorneys.
3. On June 7, 2000, the court entered an order allowing the Trustee's motion for approval of compromise and settlement thereby allowing the Trustee to waive the debtors' attorney-client privileges. Therein the court made "no finding regarding documents presently withheld on grounds that they come within the work-product doctrine, or regarding documents that include confidential communications between attorneys and individuals seeking legal counsel in their individual capacities."

4. Subsequently, Savage and others filed notices of appeal and sought stays of the court's order pending appeal.

5. On June 28, 2000, the court entered an order denying the motions for stays pending appeals and directing appellants to identify documents. That order stated, "Each appellant shall, before July 18, 2000, identify any documents that he or she alleges to be subject to his or her individual claim of privilege."

6. Counsel for Savage is informed and believes that the documents originally withheld by the debtors as privileged constituted approximately 60,000 pages.

7. Counsel for appellants Stan Van Etten and Wood & Francis, PLLC have reviewed each of those documents and developed and produced today a list of privileged documents briefly identifying the document, its date, and the individual privileges covering the document.

8. Recognizing the volume of documents involved and the shortness of time allowed by the court for identification, Savage adopts that privilege list filed by appellants Van Etten and Wood & Francis, PLLC and asserts his attorney-client privilege as to all documents contained therein covered by Savage's individual attorney-client privilege and the work-product protection of Savage's individual attorneys.

9. Further review by counsel for Savage may reveal additional privileged documents. Counsel for Savage will notify the court of those documents as they are identified.

This 18th day of July, 2000.

NARRON, O'HALE AND
WHITTINGTON, P.A.

BY: 

John P. O'Hale
Attorney for Claude Savage
N.C. State Bar No. 6794
P.O. Box 1567
Smithfield, NC 27577

BY: 

J.M. Cook
Attorney for Claude Savage
N.C. State Bar No. 25352
P.O. Box 1567
Smithfield, NC 27577

CERTIFICATE OF SERVICE

I, J.M. Cook, attorney for Claude Savage, certify that I served the foregoing document on the 18th day July, 2000, upon the following parties, and in the manner below specified, by placing a copy thereof for each such party(ies) in a separate envelope bearing sufficient postage and depositing the same in the United States mail at Raleigh, North Carolina and/or by facsimile:

Marjorie K. Lynch
Bankruptcy Administrator
P. O. Box 3758
Wilson, NC 27894-3758

Holmes Harden
Maupin Taylor & Ellis
P. O. Box 17169
Raleigh, NC 27619

Terri L. Gardner
Smith Debman Narron & Myers
4700 New Bern Avenue
P. O. Box 26268
Raleigh, NC 27611-6268

Scott Wilkinson
Assistant United States Attorney
Suite 800 Federal Building
Raleigh, North Carolina 27601-1461

Wade Smith
Melissa Hill
Tharrington Smith
209 Fayetteville Street Mall
Raleigh, North Carolina 27601

Stephen T. Smith
205 W. Martin Street
Post Office Box 150
Raleigh, North Carolina 27602

Brent E. Wood
Wood & Francis, PLLC
P. O. Box 164
Raleigh, NC 27602

Joseph Cheshire, V
Cheshire, Parker, Schneider, Wells & Bryan
P. O. Box 1029
Raleigh, NC 27602

This the 18th day of July, 2000.

NARRON, O'HALE AND
WHITTINGTON, P.A.

BY: 

J.M. Cook
Attorney for Claude Savage
N.C. State Bar No. 25352
P.O. Box 1567
Smithfield, NC 27577